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10 Run ping (FLORA) ZHOU,

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UNITED STATES DISTRICT COURT
NORTHERN DIVISION OF CALIFORNIA
SAN FRANCISCO DIVISION

U.S. COMMODITY FUTURES TRADING
COMMISSION and THE COMMISSIONER OF
CORPORATIONS OF THE STATE OF
CALIFORNIA,

Plaintiffs,

vs.

NATIONAL INVESTMENT CONSULTANTS,
INC, a California corporation, PACIFIC BEST
GROUP LTD, a.k.a. PACIFIC BEST
COMPANY LTD, a British Virgin Islands
Corporation, YI KERRY XU, an individual,
RUN PING ZHOU a.k.a. FLORA ZHOU, an
individual, and WEI M. TSE a.k.a. RAYMOND
TSE, an individual,

Defendants,

And

THERESA C. WONG, an individual,

Relief Defendant.

CASE NO.: 052641 JSW

Assigned to Hon. Jeffrey S. White

**STIPULATION TO PARTIALLY LIFT
FREEZE ON CERTAIN ASSETS
~~(PROPOSED ORDER)~~**

WHEREAS, Plaintiffs have filed and served a Complaint in the above action; and

WHEREAS, all defendants have responded to the Complaint by answer or motion; and

1 WHEREAS, Defendant Run Ping (Flora) Zhou, in filing her Answer to the Complaint
2 incorporated a declaration from her husband, John Giorgi, who declared, under oath, that part of
3 the assets that were frozen by the Statutory Restraining Order issued by this Court included
4 \$84,645.10 representing the proceeds deposited into Washington Mutual Bank Account # 339-
5 688992-2 on April 18, 2005, from the sale of his previous marital residence and was, thus, his sole
6 and separate property; and

7
8 WHEREAS, the proceeds on deposit in that account have not been withdrawn and remain
9 on deposit therein and the value of that account, since the proceeds deposit, has not declined below
10 \$84,645.10.

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12 THEREFORE, IT IS HEREBY STIPULATED AND AGREED, subject to the approval of
13 the Court, that the freeze on the funds on deposit in Washington Mutual Account Number be
14 partially lifted to the extent of \$84,645.10 and that the husband of Defendant Run Ping (Flora)
15 Zhou, John Giorgi, may withdraw funds from said account up to and including said sum. The
16 balance of the deposit in said account and all other funds frozen by the terms of the Statutory
17 Restraining Order shall remain frozen.

1 Dated: September 27, 2005

LAW OFFICES OF FRED S. KONIGSBERG

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3 By: 

FRED S. KONIGSBERG
Attorney for Defendants
FLORA ZHOU

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6 Dated: September __, 2005

US Commodity Futures Trading Commission

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8 By: _____

KEVIN K. BATTEH
Attorney for Plaintiff U.S. Commodity Futures Trading
Commission

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11 Dated: September __, 2005

Commissioner of Corporations of the State of California

12 By: _____

EDWARD KELLY SHINNICK
Attorney for Plaintiff Commissioner of Corporations of
the State of California

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15 Good cause appearing, **IT IS SO ORDERED.**

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18 DATED: September 27, 2005

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20 _____
HONORABLE JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE